

for the Western District of Pennsylvania

Frederick Banks,

Plaintiff,

v.

Macheky, et al

Defendants.

2:13cv00781-NBF-LBL

FILED

MAY 30 2014

MOTION FOR Rule 11 Sanctions Against
NEOCC - CCA Youngstown, OH; AND
Notice of Change of Address

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Plaintiff Frederick Banks requests the following relief;

1. Defendant filed a Motion to Dismiss. This Court ordered plaintiff to respond by 6/10/14. Unfortunately, it has come to plaintiff's attention that in the last 7 months of his confinement NEOCC - CCA Youngstown, OH has been purposely obstructing his incoming and outgoing legal mail. They are delaying the mail through central control and the Unit team because of numerous other things actions plaintiff brought against the prison in Mahoning County. This delay and obstruction has led to numerous cases being dismissed for failure to prosecute. *see Banks v. United States Court of Appeals 3rd Circuit, 1:13-cv-03044 Order of 3/12/14.* Plaintiff moves the Court for an Order directed to NEOCC - CCA Warden Michael Pugh, Unit Manager and Central Control, and mailroom supervisor MS. Stannery directing them to promptly send and deliver all incoming and outgoing mail. Thus far 66 actions have been dismissed of plaintiff's for NEOCC's actions.
2. Due to the above plaintiff never received the Motion to Dismiss filed by Defendants but he did receive Notices warning service that Defendants sent which he forwarded to this Court thus, Defendants have plaintiff's current address.
3. Plaintiff also gives notice of change of address to; Frederick Banks, 05711068, NEOCC, 2240 Hubbard Road, Youngstown, OH 44505. As stated the Court should fashion an appropriate order and issue sanctions against NEOCC so that this conduct does not occur in the future. At a bare minimum the Court should contact the prison. The prison mail log system is defective because many times letters sent/received are not even entered in the log.

Wherefore, the foregoing motion should be granted.

Certificate of Service - I hereby certify that on this 22nd day of May, 2014 I served a true and correct copy of the foregoing by mail delivery upon the following;

Mark R. Hamilton
John M. Greenleaf
in electronic
notification 3

SO
Frederick Banks

Respectfully Submitted

Frederick Banks
#05711068
NEOCC
2240 Hubbard Road
Youngstown, OH 44505